I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on

TOWNSEND and TOWNSEND and CREW LLT

By Jan D



1#13 4.29.02

<u>PATENT</u>

Attorney Docket No. 17634-000513US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian R. Murphy et al.

Application No.: 09/444,221

Filed: November 19, 1999

For: PRODUCTION OF ATTENUATED

RESPIRATORY SYNCYTIAL VIRUS

VACCINES FROM CLONED NUCLEOTIDE SEQUENCES

Assistant Commissioner for Patents Washington, D.C. 20231

ATTN: Customer Correction Branch
Application Processing Division

Sir:

Examiner: Not Assigned

Art Unit: 1642

SECOND REQUEST FOR CORRECTED FILING RECEIPT

RECEIVED

Attached is a copy of the revised official Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a corrected filing receipt is respectfully requested.

There is an error in that Continuing Data as Claimed by Applicant should read as follows:

THIS APPLN IS A DIV OF 08/892,403 07/15/97 PAT 5,993,824 PROVISIONAL APPLICATION NO. 60/047,634 05/23/97 PROVISIONAL APPLICATION NO. 60/046,141 05/09/97 PROVISIONAL APPLICATION NO. 60/021,773 07/15/96

Brian R. Murphy et al. Application No.: 09/444,221

Page 2

There is also an error in the number of independent claims listed, pursuant to the Preliminary Amendment filed herewith. The number of independent claims should be four (4).

The correction is not due to any error by applicant and no fee is due.

Respectfully submitted,

Dated: 5/2/00

Reg. No. 38,515

TOWNSEND and TOWNSEND and CREW LLP

Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834

Phone (206) 467-9600

Fax (415) 576-0300

SE 5003310 v1

BEST AVAILABLE COPY

011634-00051500

FILING RECEIPT

OC00000005051498



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: ASSISTANT SECRETARY AND

COMMISSIONER OF PATENT AND TRADEMARKS

Washington, D.C. 20231

TOT IND CLAIMS CLAIMS

APPLICATION NUMBER FILING DATE GRP ART UNIT FIL FEE REC'D ATTY.DOCKET.NO **DRAWINGS** 09/444.221 11/19/1999 1642 2138 17634-000513 24 62

TOWNSEND AND TOWNSEND AND CREW LLP TWO EMBARCADERO CENTER 8TH FLOOR SAN FRANCISCO, CA 941113834



Date Mailed: 04/14/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

BRIAN R. MURPHY, BETHESDA, MD; PETER L. COLLINS, ROCKVILLE, MD; STEPHEN S. WHITEHEAD, GAITHERSBURG, MD; ALEXANDER A. BUKREYEV, ROCKVILLE, MD: KATALIN JAHASZ, ROCKVILLE, MD; MICHAEL N. TENG, ROCKVILLE, MD:

Continuing Data as Claimed by Applicant

THIS APPLN IS A DIV OF 08/892,403

07/15/97

THIS APPLN CLAIMS BENEFIT OF 60/047.634 05/23/1997 WHICH CLAIMS BENEFIT OF 60/046,141 05/09/1997 WHICH CLAIMS BENEFIT OF 60/021,773 07/15/1996

Foreign Applications

If Required, Foreign Filing License Granted 12/20/1999

Title

PRODUCTION OF ATTENUATED RESPIRATORY SYNCYTIAL VIRUS VACCINES FROM CLONED NUCLEOTIDE SEQUENCES

Preliminary Class

Data entry by : HARRISON, BRUCE

Team: OIPE

Date: 04/14/2000

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CRF 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title
 of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the
 Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along
 with a copy of the Express Mail label showing the "date in."

Any corrections that may need to be done to your Filing Receipt should be directed to: